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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13

14 UNITED STATES OF AMERICA,) CR No. 07-0309 WHA
15 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
16 v.) EXCLUDING TIME
17 JOSE JESUS MADRIGAL-DIAZ,)
18 Defendant.)
19 _____
20 _____

21 On May 29, 2007, the parties in this case appeared before the Court and stipulated that time
22 should be excluded from the Speedy Trial Act calculations from May 29, 2007 to June 19, 2007.
23 The parties represented that granting the continuance was necessary for effective preparation of
24 counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

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26 SO STIPULATED:

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1 SCOTT N. SCHOOLS
 2 United States Attorney

3 DATED: May 30, 2007

4 _____
 5 /s/
 6 DENISE MARIE BARTON
 7 Assistant United States Attorney

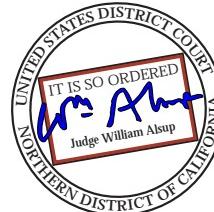
8 DATED: May 30, 2007

9 _____
 10 /s/
 11 JEFFRY GLENN
 12 Attorney for JOSE JESUS MADRIGAL-
 13 DIAZ

14 As the Court found on May 29, 2007, and for the reasons stated above, the Court finds that
 15 the ends of justice served by the continuance outweigh the best interests of the public and the
 16 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
 17 calculations from May 29, 2007 to June 19, 2007 for effective preparation of counsel. See 18
 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny defendant
 19 continuity of counsel and deny counsel reasonable time necessary for effective preparation,
 20 taking into account the exercise of due diligence, and would result in a miscarriage of justice.
 21 See 18 U.S.C. §3161(h)(8)(B)(iv).

22 SO ORDERED.

23 DATED: _____



24 Honorable William H. Alsup
 25 United States District Court Judge
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 27
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